

October 19th, 2001
via e-mail

Allen Fiksdal
EFSEC
PO Box 43172
Olympia WA 98504-3172
Subject: SE-2 Second Revised Application, DSEIS Comments

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ENERGY FACILITY SITE
EVALUATION COUNCIL

Dear Mr. Fiksdal

I am Marian G. Beddill, a citizen in Whatcom County. My personal credentials include a career (now retired) as a Civil Engineer (hydraulics) and Meteorology (USAF, AO3094918), including significant work in water management, both research and practical, including many years as an international consultant on projects funded by the USAID and World Bank, and several periods of employment by major international corporations. (My full resume is published online.)

I currently hold appointed positions with the local WRIA-1 and the Whatcom S.C.A.B. activities. The WRIA-1 (Water Resources Inventory Area-1) project, a WA-state initiated program, funded by state and local governments, to resolve water allocations among users within the Nooksack River watershed basin (and associated watersheds, which include the Sumas River and tributaries, and is essentially equivalent to the extent of Whatcom County, west of Mt. Baker.) I am the designated alternate representative for the Environmental Caucus. The S.C.A.B. (Sewerage Control Appeals Board) is a County Board empowered to review appeals to the sanitary sewerage septic systems regulations within the county.

These are my public testimony comments on the SE-2-rev. application, DSEIS, as summarized at the podium in Everson on October 16th, 2001.

I speak in opposition to the approval of the SE-2 project, and particularly to certain of the items addressed in the review of the DRAFT DSEIS.

WATER SUPPLY:

The quantity of water requested by the project is unnecessarily excessive, and I predict that the consumption, should it actually take place, will be seriously detrimental to the community. Considering that alternatives are well known and regularly used which would permit such a generating facility to operate with substantially less water consumption, and considering that NESCO has (now three times) declined to incorporate the best of those water conservation alternatives into the proposal, demonstrates their disregard for any community value except their own profit. My own verbal testimony at both the original hearings held at Sumas City (asking for a EIS-DNS) and the Whatcom County Courthouse (general), addressed exactly this issue.

Acknowledging that the City of Sumas currently holds a water right (under WA-DoE) sufficient to permit them (on paper and legally) to supply the water to SE-2, I affirm that the entire water rights allocation is under immediate review within the WRIA-1 watersheds. Fundamental to this review are two characteristics of western water law: "First in time, first in right", and "Use it or lose it." Sumas City fails the use rule for the large quantity said to be destined for SE-2. It is evident even at this half-way point in the WRIA-1 Program, that the overall demand for water, county-wide, exceeds the capacity to supply, and that the results of the WRIA-1 program most assuredly will remove some of the delivery right from the City of Sumas.

Refer to your own process under the application for a similar and larger generating facility proposed by ARCO at Cherry Point. The difference in water consumption is enormous, illustrating that the SE-2 proposal must be ruled insufficient to satisfy the "interests and needs of the community", EFSEC's prime responsibility.

The sewerage treatment requirement, which flows as a necessary consequence of the water consumption rate, is also detrimental to the community, both in practical terms by the size and extent of the pipeline and operational and financial burden on the plant, and the social consequences of the reaction by the Canadian jurisdictions, clearly stated in their own testimony.

The harmful consequences to the community, of an approval of the SE-2 project with the proposed large and excessive water need, will be both (a) a real and immediate "loss-of-opportunity" for other activities potentially more beneficial to the community than the SE-2GF, and (b) a likely court challenge to the water allocation, as the watershed study concludes, and (c) the Canadian response on the sewerage treatment. All these negative effects on the populace as a whole and our international neighbors will be avoided by a decision by EFSEC (and the Governor) to uphold Order 754, denial of the permit.

FLOODING:

The history of the Everson overflow ("avulsion") of 1990 is well known, and is sure to occur again. Those floodwaters inundated the property selected for the SE-2GF. I testify, based on my years of professional experience on exactly this type of hydraulics, that flood routing studies, of any degree of precision and vintage, will conclude that any obstruction to the natural flow, caused by the insertion of any construction within that overflow-floodway, will increase the velocity of the successive floods in the remaining neighboring channels (and hence the destructive effects of such waters.) Whatcom County has previously testified (Paula Cooper) that the County would be obligated to expend notable sums to respond to the change on flow conditions. The dollar amount for studies and civil works can only be estimated, and the dollar amount for community impact and consequent lawsuits is impossible to estimate.

A solution for the flood impact is well known, and has been known since the hydraulics technology of the 1930's. Build the facility in such a way as to not significantly impede the flow. An elevated structure, placed on columns with minimal flow-area reduction, is a design technique known from antiquity. Bridges are build this way, as are parking structures and hundreds of buildings in flood-prone areas around the world. The proponent has refused to consider this alternative, presumably only for reduction of capital costs, and hence, the benefit of corporate profit.

Furthermore, the incompleteness of the DSEIS in regards to the computer-modelling proposed by the applicant but not yet done and without adequate justification for the delay is, in my opinion, sufficient to justify rejection of the DSEIS as "procedurally deficient" in such a degree as to inadequately resolve the question of the impact of the flooding on the community.

Therefore, I call upon the EFSEC to conclude that the proposal, if not rejected outright in support of the Order 754, must be held in abeyance pending full and agreed completion of the flood modelling studies proposed. Saying that it's OK before you know it's OK, is unconscionable.

CLEAN ENERGY AND JOBS:

Certain individuals have expressed the desire to support projects which incorporate "clean energy and jobs". I concur. I therefore suggest hereby to EFSEC that they stipulate to the proponent that the project for SE-2 be reconfigured to remove the natural-gas-fired generators, and substitute a wind-power research, manufacturing and generation facility, a change which would furnish significantly cleaner energy and far more jobs. In addition, the resources available at the site, including land and the water supply, could be used to better benefit of the community.

Should the natural-gas-power be approved, however, in spite of the substantial negatives to the community of that method, I propose and request that EFSEC stipulate that a wind-power research, manufacturing and generation facility be incorporated into the requirements for the project, as justified above, for the greater benefit of the community.

Respectfully submitted;

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